

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUSTIN W. RUELOS,)
) CASE NO. C10-0950-TSZ
Plaintiff,)
)
v.)
) REPORT AND RECOMMENDATION
MICHAEL ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)
_____)

Plaintiff Justin W. Ruelos brought this action to seek judicial review of the denial of his application for Supplemental Security Income by the Commissioner of the Social Security Administration. The parties have now stipulated that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. 18.)

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings. Defendant has determined that the recording of the hearing held on February 4, 2009 is only partially audible and as a result there are multiple gaps in the testimony of the claimant, and in the testimony of the medical and vocational experts. On remand, the Administrative Law Judge (ALJ) will

01 offer plaintiff a new hearing and the opportunity to present further evidence and argument.
02 The ALJ will further develop the record with supplemental medical and vocational expert
03 testimony. The ALJ will issue a new decision based on the expanded record.

04 Given the above, the Court recommends that United States Chief District Judge Robert
05 S. Lasnik immediately approve this Report and Recommendation and order the case
06 REVERSED and REMANDED for further administrative proceedings. A proposed order
07 accompanies this Report and Recommendation.

08 DATED this 19th day of November, 2010.

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11 Mary Alice Theiler
12 United States Magistrate Judge
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